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TRADE AND DEVELOPMENT BOARD
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Item 1(b) of the provisional agenda

PROVISIONAL AGENDA AND ANNOTATIONS FOR THE FIRST PART OF THE THIRTY-NINTH SESSION OF THE BOARD

Introductory note

The secretariat's annotations are intended to furnish essential background information covering the provisional agenda items, together with a brief description of the relevant documentation.

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At its resumed 805th meeting, on 7 May 1992, the Board approved the provisional agenda for the first part of its thirty-ninth session. At the same meeting, in adopting the guidelines for its executive sessions, the Board decided that such sessions could, inter alia, take action on procedural and organizational matters and provide timely preparation of the issues to be considered by the regular session of the Board. In the light of this decision, and in order to allow maximum time at the first part of the thirty-ninth session of the Board for the consideration of the extended agenda, the President of the Board, in consultation with the Secretary-General of UNCTAD, proposed that certain items of the provisional agenda be taken up at the first pre-sessional executive session. These proposals were approved by the Consultations of the Secretary-General of UNCTAD on 17 July 1992.

The provisional agenda for the first part of the thirty-ninth session as approved by the Board at its resumed 805th plenary meeting on 7 May 1992, (TD/B/INF.187), is reproduced in section I.

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I. PROVISIONAL AGENDA

1. Procedural matters:

   (a) Election of officers;

   (b) Adoption of agenda and organization of the work of the session;

   (c) Adoption of the report on credentials;

   (d) Provisional agenda for the second part of the thirty-ninth regular session of the Board

2. Follow-up to the recommendations adopted by the Conferece at its eighth session

3. International implications of macro-economic policies and issues concerning interdependence: the recent evolution of development problems and prospects

4. Paths to development: performance, problems and reform of public enterprises

5. Sustainable development including UNCTAD's contribution to the implementation of UNCED's conclusions and recommendations

6. Trade policies, structural adjustment and economic reform: issues relating to national transparent mechanisms in the context of the fight against protectionism

7. Review of progress in the implementation of the Programme of Action for the Least Developed Countries for the 1990s

8. UNCTAD's contribution to the implementation of the United Nations New Agenda for the Development of Africa in the 1990s

9. Report of the Secretary-General on assistance to the Palestinian people in the light of the Cartagena decision

10. Other matters in the field of trade and development:

    (a) Export promotion: report of the Joint Advisory Group on the International Trade Centre UNCTAD/GATT on its twenty-fifth session;

    (b) Progressive development of the law of international trade: twenty-fifth annual report of the United Nations Commission on International Trade Law

(To be completed in the light of developments)

11. Other matters requiring action by the Board arising from or related to reports and activities of its subsidiary and other bodies

12. Institutional, organizational, administrative and related matters:

    (a) Treatment of new States members of UNCTAD for purposes of elections;

    (b) Membership of the Trade and Development Board;

    (c) Membership of the Working Party on the Medium-term Plan and the Programme Budget for 1993;

    (d) Designation of intergovernmental bodies for the purposes of rule 76 of the rules of procedure of the Board;

    (e) Designation and classification of non-governmental organizations for the purposes of rule 77 of the rules of procedure of the Board;

    (f) Review of the calendar of meetings;

    (g) Administrative and financial implications of the actions of the Board.

13. Other business

14. Adoption of the report of the Board.

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II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1 PROCEDURAL MATTERS

Item 1 (a) Election of officers

In accordance with rules 18 and 19 of the rules of procedure of the Board, the Bureau of the Board shall consist of 12 members, including four members from List A (Africa/Asia), four members from List B, two members from List C and two members from List D, referred to in the annex to General Assembly resolution 1995 (XIX), as amended.

At its resumed 805th meeting, on 7 May 1992, the Board designated H.E. Mr. Gündüz Aktan (Turkey) as President of the Board at its thirty-ninth session. In accordance with the cycle for the rotation of the office of Rapporteur, the Rapporteur at the thirty-ninth session shall be a representative of one of the States members in List A (Asia).

No documentation

Item 1 (b) Adoption of the agenda and organization of the work of the session

The provisional agenda, as approved by the Board at its resumed 805th meeting, on 7 May 1992, is set out in section I.

By decision of the Consultations of the Secretary-General of UNCTAD, on 17 July 1992, items 11, and 12 (a), (b) and (c) have been referred to the first pre-sessional executive session of the Board for action.

Documentation

TD/B/39(1)/1	Annotated provisional agenda
TD/B/39(1)/1/Add.2	Addendum

Organization of work

The proposals of the Secretary-General of UNCTAD for the organization of the work of the session were approved by the Consultations on 17 July 1992.

The Board may wish to approve the organization of work on the understanding that the timetable of meetings annexed thereto can be adjusted in the light of developments. In this connection, attention is drawn to the fact that provision has been made in the timetable of meetings for informal discussions during the session on items 3, 4, 5, 6, and 7 of the provisional agenda.

Documentation

TD/B/39(1)/1/Add.1	Organization of work of the session

Item 1 (c) Adoption of the report on credentials
(Rule 17.2)

"The Bureau of the Board shall examine the credentials and submit their report to the Board."

In-session documentation

Item 1 (d) Provisional agenda for the second part of the thirty-ninth session of the Board

The Secretary-General of UNCTAD will submit during the session a draft provisional agenda for the second part of the thirty-ninth session (scheduled to be held in the spring of 1993.)

In-session documentation

Item 2 Follow-up to the recommendations adopted by the Conference at its eighth session

In preparation for the Board's consideration of this item, the first (pre-sessional) executive session will review progress made so far in the establishment of the new subsidiary bodies, called for in paragraphs 74 to 79 of the Cartagena Commitment. The outcome of the pre-sessional executive session's deliberations will be reflected in an addendum to the present document.

In response to the directives contained in paragraphs 66 to 69 of the Cartagena Commitment, the secretariat drew up a draft work programme for the Board for the period 1992-1995, supplementing it with a list of additional topics drawn from paragraphs 63 (1) to 63 (5). The Consultations of the Secretary-General of UNCTAD, on 17 July 1992, agreed that these proposals could serve as an indicative orientation for the work programme of the Board, and as a point of departure for the formulation of future agendas.

No documentation

Item 3 International implications of macro-economic policies and issues concerning interdependence: the recent evolution of development problems and prospects

In paragraph 66 of the Cartagena Commitment, the Conference called for the Board to address annually a topic relating to the international implications of macro-economic policies and issues concerning interdependence, using the Trade and Development Report (TDR) as background.

The topic approved by the Board for discussion at the first part of its thirty-ninth session - "The recent evolution of development problems and prospects" - is addressed in TDR 1992. The relevant sections of the TDR are Parts One and Two, and Part Three, chapter I.

The Trade and Development Report 1992 is relevant to the discussions under this item.

Item 4 Paths to development: performance, problems and reform of public enterprises

In paragraph 66 of the Cartagena Commitment, the Conference drew attention to the list of additional topics, set out in paragraph 63, which should be addressed by the Board before the ninth session of the Conference. In approving the provisional agenda for the current session, the Board decided that it would discuss the performance, problems and reform of public enterprises at the first part of its thirty-ninth session. Chapter III of Part Three of TDR 1992 addresses this topic, discusses the measurement and determinants of the performance of public enterprises and examines quantitative evidence. It discusses organizational reforms, concentrating on objectives, autonomy, control and incentives, and policy reforms, especially as regards financing, pricing, and pay and employment. The main conclusion is that the public sector in developing countries is in a severe crisis in part because of the way public enterprises have been managed and in part because of external shocks and policy responses to them.

The Trade and Development Report 1992 is relevant to the discussions under this item.

Item 5 Sustainable development including UNCTAD's contribution to the implementation of UNCED's conclusions and recommendations

In response to paragraph 5 of decision 384 (XXXVII), the Board had before it, at the first part of its thirty-eighth session, an interim report by the UNCTAD secretariat entitled "Policies and mechanisms for achieving sustainable development" (TD/B/1304).

In paragraphs 3 and 4 of resolution 393 (XXXVIII), of 4 October 1991, the Board, having considered the above report, requested the Secretary-General of UNCTAD to complete the analysis called for in paragraph 5 of decision 384 (XXXVII) and to submit the full report to the Board at the first part of its thirty-ninth session.

Furthermore, the Conference at its eighth session decided that the Board would discuss, at its first meeting after the United Nations Conference on Environment and Development, the impact of the results of UNCED on UNCTAD's work, and would take the necessary action to ensure the discussion and adoption of the required measures within UNCTAD's intergovernmental machinery (cf. footnote to para. 63 (5) of the Cartagena Commitment).

Documentation

TD/B/39(1)/7 Sustainable development: a consideration of sectoral linkages
- Report by the Secretary-General of UNCTAD

In connection with this item, it is recalled that the first (pre-sessional) excutive session of the Board will have before it a note by the Secretary-General of UNCTAD concerning the implications for UNCTAD of the outcome of the Rio Conference. The outcome of the deliberations of the executive session of the Board on the item will also be made available to the Board.

Item 6 — Trade policies, structural adjustment and economic reform: issues relating to national transparent mechanisms in the context of the fight against protectionism

In paragraph 132 of the Cartagena Commitment, the Conference, recalling paragraph 105 (4) of the Final Act of UNCTAD VII and Board resolution 367 (XXXV), reaffirmed that Governments should consider, as part of their fight against protectionism, the establishment of transparent mechanisms at the national level to evaluate measures sought by firms/sectors; agreed that UNCTAD should promote the establishment of these mechanisms, including discussion on their relevant features, and their participation in the work of the appropriate UNCTAD bodies; and added that the secretariat should provide technical assistance to interested countries in connection with the establishment of such mechanisms.

The Board will have before it a report which discusses the implications of transparent mechanisms for developing countries for more efficient trade policy formulation; reviews the experiences of transparent mechanisms of four developed countries; reports on techniques used to evaluate costs and benefits of protection and suggests certain features for an effective transparent mechanism. The report also discusses the role of technical assistance in the establishment of such mechanisms.

As a background document, a report entitled "Evaluating protection in an economy-wide perspective", which summarizes the discussions of a high-level Expert Group Meeting convened by the Secretary-General of UNCTAD in December 1991, will also be made available to delegations.

Documentation

TD/B/39(1)/3	Trade policies, structural adjustment and economic reform: issues relating to transparent mechanisms in the context of the fight against protectionism
Background UNCTAD/ITP/77 (English only)	Report on evaluating protection in an economy-wide perspective

Item 7 — Review of progress in the implementation of the Programme of Action for the Least Developed Countries for the 1990s

Background

The General Assembly in its resolution 45/206, of 21 December 1990, endorsed the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, and decided, inter alia, that: (a) UNCTAD should continue to serve as the focal point for the review and appraisal of

the implementation of the Programme and its follow-up at the global level, and (b) the Trade and Development Board shall consider, during each of its annual spring sessions, the review of progress in the implementation of the Programme of Action.

The eighth session of the United Nations Conference on Trade and Development considered, inter alia, issues relating to the follow-up of the Programme of Action for the LDCs, and held a special meeting of the plenary on this item. Part IV of the Cartagena Commitment contains a substantive chapter, outlining policies and measures for the follow-up of the Programme, including ODA, external debt and trade. Paragraph 216 of the Cartagena Commitment states that the Programme of Action "should be implemented fully, effectively and on a timely basis by all parties", and in paragraph 226 the Conference "stresses the importance of the monitoring, follow-up, and review process as envisaged in the Programme of Action and reaffirms the role of UNCTAD and the Trade and Development Board in this process".

Review of progress in the implementation of the Programme of Action

By the time the Board takes up the item, two years will have passed since the adoption of the Programme of Action by the Second United Nations Conference on the Least Developed Countries. The Board thus provides an opportunity to review progress in the implementation of the Programme. To assist the Board in undertaking this review, the Least Developed Countries 1991 Report (TD/B/1312 and Corr.1) will be made available.

Implications of the application of the new identification criteria for LDCs

Since the adoption of the Programme of Action a total of six new countries have been added by the General Assembly to the group of LDCs, which now number 47. Apart from Liberia in 1990, five others - Cambodia, Madagascar, the Solomon Islands, Zaire and Zambia - were included in the LDC category by General Assembly resolution 46/206 of 20 December 1991, upon the recommendation of the Committee for Development Planning having formulated the new criteria for the identification of LDCs.

In paragraph 218 of the Cartagena Commitment, the donor countries reaffirmed their determination to implement the commitments they had undertaken in the Programme of Action with regard to ODA to the 41 LDCs included in the list at the time of the Paris Conference. Furthermore, the Conference decided that the Trade and Development Board should, when undertaking the review of progress in the implementation of the Programme of Action, consider the implications of the inclusion of six additional countries in the LDC list for "appropriate adjustments for the commitments contained in the Programme in respect of targets and levels of ODA". The note by the Secretary-General, circulated in TD/B/39(1)/CRP.1, discusses the implications of the application of the new criteria for identifying the least developed countries.

Documentation

TD/B/1312 and Corr.1	The Least Developed Countries 1991 Report
UNCTAD/RDP/LDC/58	Paris Declaration and Programme of Action for the Least Developed Countries for the 1990s
TD/B/39(1)/CRP.1 A/47/278- E/1992/77	Note by the Secretary-General of UNCTAD on "Implications of the application of the new criteria for identifying the least developed countries"
TD/B/39(1)/CRP.2	Texts of relevant Board and General Assembly resolutions

Item 8 UNCTAD's contribution to the implementation of the United Nations New Agenda for the Development of Africa in the 1990s

In paragraph 13 of resolution 389 (XXXVII), of 22 March 1991, the Board requested the Secretary-General of UNCTAD to continue to provide assistance to African countries, including continued analysis and research relating to problems of interest to Africa, as well as technical assistance programmes, and to ensure that needs appraisal missions of UNCTAD will cover all regions of Africa.

In its resolution 46/151, of 18 December 1991, the General Assembly adopted the assessment of the implementation of the UN-PAAERD, as well as the United Nations New Agenda for the Development of Africa in the 1990s (contained in the annex to that resolution) and requested Governments, organs, organizations, and the United Nations system to take appropriate measures in order to implement the commitments contained in the New Agenda. In 1993, the General Assembly will conduct a preliminary consideration of the implementation of the New Agenda (cf. para. 43 (a) of the annex to resolution 46/151).

In paragraph 63 of the Cartagena Commitment, the Conference agreed on specific areas to serve as orientations for developing both fresh approaches to long-standing issues and insights for pursuing new lines of work. These areas included the United Nations New Agenda for the Development of Africa in the 1990s, as well as Programme 45: the United Nations System-wide Plan of Action for African Economic Recovery and Development. Also in paragraph 66 of the Cartagena Commitment, the Conference called for the Board to address the question of UNCTAD's contribution to the implementation of the New Agenda.

Accordingly, the Board will have before it a note by the Secretary-General of UNCTAD outlining proposals for UNCTAD's response to the above mandates.

Documentation

TD/B/39(1)/5	UNCTAD's contribution to the implementation of the United Nations New Agenda for the Development of Africa in the 1990s; and to the United Nations System-wide Plan of Action for African Economic Recovery and Development
TD/B/39(1)/CRP.3	General Assembly resolution 46/151 of 18 December 1991

Item 9 Report of the Secretary-General on assistance to the Palestinian people in the light of the Cartagena decision

Conference resolution 146 (VI) calls for the UNCTAD secretariat to monitor and investigate the policies and practices of Israeli occupation authorities hampering the economic development of the occupied Palestinian territory and requests the Secretary-General of UNCTAD to report periodically to the Trade and Development Board on progress made in the implementation of this resolution.

At its eighth session (238th plenary meeting on 24 February 1992), the Conference decided that UNCTAD's assistance to the Palestinian people would be continued in its present form. At the first part of its thirty-ninth session, the Board will thus be expected to undertake the review of the economic situation in the occupied Palestinian territory.

The Board will have before it a report prepared by the UNCTAD secretariat for its consideration of this item.

In the light of agreement reached at informal consultations held by the Secretary-General of UNCTAD with members of the Bureau and regional coordinators and China concerning the provisional agenda, it is understood that, under this item, the Board's action will be confined to taking note of the report of the Secretary-General, as in previous years.

Documentation

TD/B/39(1)/4	Assistance to the Palestinian people Report by the Secretary-General of UNCTAD

Item 10 Other matters in the field of trade and development

Item 10 (a) Export promotion: report of the Joint Advisory Group on the International Trade Centre UNCTAD/GATT on its twenty-fifth session

The annotation to this item will be included in an addendum to the present document.

Item 10 (b) Progressive development of the law of international trade: twenty-fifth annual report of the United Nations Commission on International Trade Law

The United Nations Commission on International Trade Law held its twenty fifth session from 4 to 22 May 1992, in New York. Its report will be before the Board, in accordance with General Assembly resolution 2205 (XXI).

This resolution also provides that any comments or recommendations which the Board may wish to make on the report shall be transmitted to the General Assembly. Likewise, any suggestions for topics to be included in the work of UNCITRAL, and any other recommendations by the Board relevant to the work of UNCITRAL, shall be transmitted to the General Assembly.

Documentation

TD/B/39(1)/6	Note by the UNCTAD secretariat
A/47/17	Report of the United Nations Commission on International Trade Law on the work of its twenty-fifth session

Item 11 — Other matters requiring action by the Board arising from or related to reports and activities of its subsidiary and other bodies 1/

Item 12 — Institutional, organizational, administrative and related matters

Item 12 (a) — Treatment of new States members of UNCTAD for purposes of elections 1/

Item 12 (b) — Membership of the Trade and Development Board 1/

Item 12 (c) — Membership of the Working Party on the Medium-term Plan and the Programme Budget for 1993 1/

Item 12 (d) — Designation of intergovernmental bodies for the purposes of rule 76 of the rules of procedure of the Board

A list of the 101 intergovernmental organizations in status with UNCTAD is contained in TD/B/INF.106/Rev.5 and Add.1.

Any new applications will be reflected in an addendum to the present document.

Item 12 (e) — Designation and classification of non-governmental organizations for the purposes of rule 77 of the rules of procedure of the Board

At present there are 146 non-governmental organizations in status with UNCTAD - 64 in the general category and 82 in the special category. A list of these is contained in TD/B/INF.107/Rev.5.

The Board will be invited to consider applications from six non-governmental organizations.

In accordance with the provisions of rule 77, the Secretary-General of UNCTAD will consult the Bureau of the Board and will subsequently submit the Bureau's recommendations to the Board.

Documentation

TD/B/39(1)/R.1	Note by UNCTAD secretariat
TD/B/39(1)/R.1/Add.1	Association of Export Credit Insurance Organizations (Dakar Union)
TD/B/39(1)/R.1/Add.2	World Association of Industrial and Technological Research Organizations (WAITRO)

1/ By decision of the Consultations of the Secretary-General of UNCTAD, on 17 July 1992, these items were included in the agenda of the first (pre-sessional) executive session of the Board. The outcome will be reflected in an addendum to the present document.

Documentation (continued)

TD/B/39(1)/R.1/Add.3	Baltic Exchange Limited
TD/B/39(1)/R.1/Add.4	Rural Advancement Foundation International (RAFI)
TD/B/39(1)/R.1/Add.5	Association of African Trading Enterprises (ASATRADE)
TD/B/39(1)/R.1/Add.6	Latin American Association for Navigational Law and Law of the Sea (ALDENAVE)

Item 12 (f) Review of the calendar of meetings

The calendar of UNCTAD meetings for the period 1 September 1992 - 5 February 1993 and a preliminary indicative calendar for the remainder of 1993, as approved by the Consultations of the Secretary-General of UNCTAD on 17 July 1992, has been circulated in TD/B/39(1)/INF.1.

Any amendments emanating from meetings of the Informal Group on Calendar Matters in the interim will be drawn to the attention of the Board.

Documentation

TD/B/39(1)/INF.1	Calendar of UNCTAD meetings

Item 12 (g) Administrative and financial implications of the actions of the Board

The Board will be informed during the session of the administrative and budgetary implications of any proposals before it.

Item 13 Other business

Item 14 Adoption of the report of the Board

In accordance with Board decision 259 (XXV), two versions of the report of the Board are prepared: (a) the report of the Board to the General Assembly, containing the resolutions and decisions of the Board and any other material which the Board decides to transmit to the Assembly; and (b) the full account of the Board's proceedings, which constitutes the Official Records of the Board's session.

In-session documentation